

Application No.: 10/518,764
Amendment dated: November 29, 2006
Reply to Office Action of: 07/31/2006

IN THE DRAWINGS:

Enclosed is a replacement sheet of Figure 1 which shows the addition of elements 9a and 9b. No new matter has been added.

REMARKS

With reference to the above-identified application, Applicant herein requests the Examiner to correct to spelling of the inventor's first name. For your reference, attached is a copy of the first page of the publication of the corresponding PCT application showing the correct spelling of the inventor's first name is "Harald".

In response to the Office Action dated July 31, 2006, the Applicant has canceled Claims 5-7 and has added new Claims 8 and 9. In the Office Action Examiner Hook rejected Claim 6 under 35 USC 112 on grounds that the specification does not provide support for the "axial bores" contained in Claim 6 and now contained in new Claim 8. To overcome this rejection there is enclosed herewith a replacement drawing of Figure 1. Simultaneously, it is requested that Page 8 of the specification as initially submitted be amended as noted above. The amendments to Page 8 of the specification provides in line 6 the element number 9a to identify signal cables, and line 7 identifies the bores with the element numeral 9b. Thus the revision to Page 8 of the specification is in conformity with the replacement drawing of Figure 1 that illustrates the bores 9a and 9b that extend through the piston rod 9.

The substitute page of the specification taken in conjunction with the replacement drawing of Figure 1 does not introduce new matter. The fact that the invention for which a patent is sought includes passageways or "bores" through the piston rod is specifically set forth in the specification and claims as filed. The revised drawing of Figure 1 and the amendment to the specification are for the purpose of overcoming Examiner Hook's 112 rejection and meticulous care has been taken that no new matter has been added to the specification and drawings as a whole.

Examiner Hook has also rejected the claims as initially submitted under 35 USC 102 as being anticipated by U.S. Patent 4,854,398 issued to Douglas C. Campbell on August 8, 1989. It is Examiner Hook's position that "the patent to Campbell discloses the recited plug comprising a main section near 68, at least one hydraulic cylinder with bore 70, fastening devices 24, 26, sealing surfaces 86, 78, a piston rod 76 which goes through end plates 86, 78, and that the ends are shown to have some manner of connecting elements provided thereon such as the bolt over the rod end surrounded by spring 22, there are bores within the piston rod for the flow of at least gas and/or liquid and would be capable of carrying cables as well, where the method of utilizing such as a plug which has slips 26 and sealing arrangement formed by member 24 reacting to the movement of wedges such as 130 which are connected to the slips 26 such that the slips and member 24 will engage the inside of the pipe as it is actuated."

Reconsideration of this rejection is requested. There is an obvious and critical difference in the packer illustrated and described in the Campbell patent compared with that which is the subject of the present application and that is set forth clearly in the claims. Newly presented Claim 8 provides "a plug having a piston rod therein, the piston rod having at least one axial bore therethrough, from end to end capable of receiving one or more cables, liquids and/or gases". The patent to Campbell clearly does not disclose this concept. Campbell shows a piston 72 having a piston rod 76, the piston rod having bores 102 and 104 therein. However, the bores do not extend in the piston rod "therethrough from end to end". Note that in Campbell the bores do not extend through the right hand end of the piston rod as clearly shown in Figure 2. Instead the bores terminate within the interior of the piston rod and provide for lateral connections. Thus the

bores do not extend through the piston rod and correspondingly do not provide a passageway that extends through opposed first and second end plates such as in Applicant's invention.

Applicant's plug for sealing the interior of a pipe is unique as compared to Campbell in providing a system for hydraulically actuating the plug while simultaneously providing a passageway or passageways extending through the cylinder piston that enables communication to be established from one end of the other through the plug and particularly wherein the communication can be such as cables in addition to liquids and/or gases.

The method Claim 9 provides a method of fastening a plug within a pipe wall that also is completely unique compared to the teachings of Campbell. In Claim 9 at least two interconnected main sections can be actuated by a piston to perform two functions, that is, to move slips against the interior pipe wall to thereby lock the plug in place within the pipe wall and also to compress a circumferential gasket radially outwardly to expand it to seal against the interior pipe wall in an arrangement wherein the sequence of fastening and sealing the main sections are arbitrary.

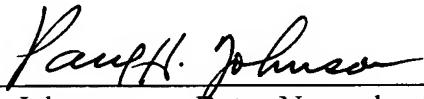
The submission of the replacement drawing of Figure 1, the amendment to the specification and the revised claims have all been submitted to overcome Examiner Hook's rejection of the application under both 35 USC 112 and 35 USC 102(b). If Examiner Hook believes that other or additional modifications of the application and/or claims are required the Examiner is respectfully invited to contact the undersigned so that hopefully, by a telephone conference, any deficiencies of the application can be met so as to allow an early Notice of Allowance, which is respectfully requested.

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In addition, attached hereto are the following documents:

1. Associate Power of Attorney executed by Christian D. Abel, attorney of record; and
2. A Petition For A One-Month Extension of Time. Please note that Applicant is no longer entitled to small entity status. Therefore, please charge Deposit Account No. 50-1971 the amount of \$120.00 to cover the extension of time fee.

Respectfully submitted,



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